

The present application, Application No. 09/945,512, is the first filed, and the only basis remaining for rejecting all pending claims is a provisional obviousness-type double patenting rejection. The following guidance with respect to provisional obviousness-type double patenting for copending applications is provided in the M.P.E.P. in pertinent part;

If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent. M.P.E.P. § 804(1)(B).

Applicant request Examiner withdraw his rejection for all pending claims based on the guidance provided in M.P.E.P. § 804(1)(B).

Interview Summary

The undersigned received a telephone call from the examiner, who requested filing a Terminal Disclaimer in the present application in view of commonly assigned co-pending applications. The undersigned decided to not file a Disclaimer as doing so would be premature per USPTO procedure. See M.P.E.P. § 804(1)(B).



Conclusion

Applicant respectfully submits that the pending claims 1, 3-4, 6-9, 11-14, 28, 30-33, 35-45, 48, 50-65, and 95-116 are in condition for allowance. Notification of allowance is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES

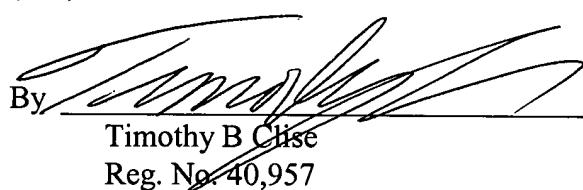
By his Representatives,

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Date

29 Sept 05

By


Timothy B. Clise
Reg. No. 40,957

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29 day of September, 2005.

Name

KACIA LEE

Signature

